



# *2002 ANNUAL REPORT*

*"SERVING THE COMMUNITY AND THE JUSTICE SYSTEM"*

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### ***About the Citizens' Law Enforcement Review Board***

In November of 1990, the citizens of San Diego County voted to establish the Citizens' Law Enforcement Review Board. The Review Board is composed of 11 citizens who are appointed by the Board of Supervisors. The Review Board was established for the purpose of receiving and investigating complaints of misconduct by peace officers and custodial officers performing their duties while employed by the Sheriff's Department or the Probation Department. The Review Board is also able to investigate any deaths, which occurred while in the custody of, or in connection with, actions of peace officers or custodial officers employed by the Sheriff's Department or the Probation Department. The Review Board advises the Board of Supervisors, the Sheriff and the Chief Probation Officer on matters related to the handling of citizens' complaints or deaths, or departmental policies and practices.

### ***Mission Statement***

To increase public confidence in government and the accountability of law enforcement through the investigation and reporting of citizen complaints filed against peace officers or custodial officers employed by the County in the Sheriff's or Probation Departments which allege improper conduct by the officers, or which allege policy or procedural violations.

### **Current Board Members**

Tom Pocklington, Chairperson  
Steve Castaneda, Vice Chairperson  
Samantha Leach, Secretary  
Kourosh Hangafarin  
Ralph Mora  
Donald O'Ben  
Glenn Quiroga  
Develyn Watson  
Robert Winston

### **STAFF**

John Parker, Executive Officer  
Lynn Setzler, Special Investigator  
Joseph Garcia, Special Investigator  
Marilyn Johnson, Administrative Secretary III  
Hila Passyousofi, Intern

625 Broadway, Suite 110  
San Diego, CA 92101  
(619) 515-6029 Fax: (619) 515-6005  
Toll Free (866) 231-4365 (CA only)

Internet: [www.sdcounty.ca.gov/clerb](http://www.sdcounty.ca.gov/clerb)

**RÉSUMÉS OF THE CURRENT  
REVIEW BOARD MEMBERS  
& EXECUTIVE OFFICER****Thomas Pocklington**  
*Chairperson*

A resident of Bonita, Mr. Pocklington is a retired Naval Officer, pilot and Vietnam veteran. His community service includes: Sweetwater Valley Civic Association, member of the Board of Directors for the Bonita-Sunnyside Fire Protection District, and Special District Advisory member to the San Diego Local Agency Formation Commission (LAFCO). Mr. Pocklington is a Real Estate Broker and a graduate of Los Angeles State University and the Naval War College, Newport, Rhode Island.

**Steve Castaneda**  
*Vice Chairperson*

A resident of Chula Vista, Mr. Castaneda served as a San Diego Police Officer from 1980-1981. He presently is employed by Profile Research and Marketing as a Senior Associate. From 1992-1995, Mr. Castaneda was a consultant on the San Diego City Council's Committee on Transportation and Land Use, Department of Intergovernmental Relations. He also worked with Council Member Ron Roberts as a San Diego City Council Representative from 1987 through 1992.

**Samantha Leach**  
*Secretary*

A resident of Lakeside, Ms. Leach is employed at Intuit in the Corporate Affairs Department. She holds a BS in Criminal Justice and a Masters of Forensic Science. Ms. Leach served as a Deputy Explorer Sergeant for the San Diego County Sheriff's Department, a Community Service Officer for California State University and as an Investigative Intern at the San Diego County Medical Examiner's Office. She also sits on the Board of Directors for the San Diego Off Road Coalition as the Director of Public Relations.

**Kourosh Hangafarin**

A resident of Rancho Santa Fe, Mr. Hangafarin is an operations and public affairs professional with 20 years of experience in private enterprise and political organizations. He has served on the Republican National Committee Chairman's Advisory Board, President of the Iranian American Republican Council, a member on the Board of Directors of the San Diego Lincoln Club and on the World Future Society and World Affairs Council. Recently, he was appointed as a Commissioner on the San Diego County Planning Commission.

**Ralph Mora**

A resident of Lemon Grove, Mr. Mora is married to Marilyn and has three grown children who graduated from UCSD and SDSU, his alma mater. He is currently the Principal of Sweetwater High School in the Sweetwater Union High School District. Mr. Mora has been in administration, is an active member of the National City Kiwanis Club and serves as a board member of the National City Boys and Girls Clubs. He is a firm believer in community involvement.

**Donald O'Ben**

A resident of Escondido, Mr. O'Ben is retired from the manufacturing trade. He is presently employed part-time in sales. He served as a Reserve Police Officer for 12 years in Maine. He has served as a Hospice volunteer in Maine and at Elizabeth Hospice in Escondido. He was also a trained tutor for Laubach Literacy.

**Glenn Quiroga**

Glenn Quiroga is a life-long resident of San Diego County. He serves as the elected Tribal Treasurer for the Sycuan Band of the Kumeyaay Nation. As Treasurer, Mr. Quiroga oversees the financial affairs of all the business enterprises of the Tribe, works closely with auditors to ensure compliance with applicable regulations and laws, and reports regularly to his constituents on the financial health of the businesses. He continues to serve as

Director of the Sycuan Medical Health Plan, a position that he has held for four years. Mr. Quiroga is a member of the California Nations Indian Gaming Association, the National Indian Gaming Association, and the Society of Professional Business Administration. He is a graduate of El Cajon Valley High School and attended Marymount College and the University of San Diego. He and his wife Toni reside in Granite Hills with their son.

#### **Develyn Watson**

A resident of San Diego, Ms. Watson is a military veteran of more than ten years. Ms. Watson moved to San Diego in 1998 after serving three years as a public affairs officer for the U. S. Air Force Academy in Colorado Springs, Colorado. Prior to her position at the Air Force Academy, she served four years in the U. S. Navy as a cryptologist in the intelligence field and was stationed in Diego Garcia, Scotland, Maine and Florida. Prior to her appointment to the board, she worked for Uptown Publications in San Diego as the assistant director for a community newspaper. Ms. Watson holds a bachelor's degree in journalism from the University of New Mexico in Albuquerque, and is currently pursuing her law degree at California Western School of Law in San Diego. She is also a captain in the Air Force Reserves and serves as an entertainment liaison officer with the Los Angeles motion pictures office.

#### **Robert Winston**

A resident of Carlsbad, Mr. Winston is a Senior Vice President for Smith Barney. He holds degrees in Criminal Justice Administration from San Diego State University and in Behavioral Science. Mr. Winston has served on the Board of Directors of the UCSD Cancer Center Foundation. He has also worked as a reserve police officer for the San Diego Police Department from 1993 through 1999 where he performed a full range of enforcement activities including 2500 hours of patrol.

#### **John Parker Executive Officer**

A resident of Carlsbad and Executive Officer since May 1997, Mr. Parker brings over 30 years of combined law enforcement and police oversight experience to the position of Executive Officer. Mr. Parker retired after 22 years of service from the Oakland (CA) Police Department, where he served in Patrol, Vice Crimes, Narcotics, Special Operations, the Helicopter Unit, and Internal Affairs. Upon his retirement in 1990, Mr. Parker accepted a position as Senior Investigator with the San Francisco Office of Citizen Complaints. He was promoted to Chief Investigator and also served as the acting Director for extended periods of time before coming to San Diego.

**MESSAGE FROM THE CHAIR**

I would like to report to you, the residents of San Diego County, that the Citizens' Law Enforcement Review Board (CLERB) has performed in an outstanding manner for the year of 2002. It has fulfilled its responsibilities as directed by its Charter, and you, the citizens of San Diego County.

A major part of CLERB's success has been due to the staff and its Executive Officer, Mr. John Parker. The staff has conducted independent investigations and has worked closely with citizens and with members of the San Diego Probation and Sheriff's Departments as they investigated allegations set forth in citizens' complaints. In my three years on the board I have found the staff's work and knowledge of each case to be reliable and the main source of our sound decision-making in the review process. The system established for San Diego County is working, in part, because of the hard work and dedication of all those involved in the oversight process.

The board members of CLERB come from all walks of life, religions, and ethnic backgrounds. A high degree of training and understanding, coupled with a time commitment is required of board members in preparing for each monthly meeting. Case reports need to be reviewed and all questions resolved by staff prior to the day of the meeting.

There is currently a critical need for the Chief Administrative Officer and the Board of

Supervisors to identify more men and women qualified to serve on the review board. There should be a pool of citizens identified and ready to serve when vacancies on the review board occur. Solid appointments to the review board coupled with training and experience will insure that the oversight process continues to work effectively and efficiently.

The work of the review board during 2002 included several policy recommendations for the Sheriff's Department. These recommendations were intended to improve on current policies and procedures based on cases reviewed during the year. A number of cases also included recommended discipline for some members of law enforcement. The board's disciplinary recommendations were made after reviewing the independent investigations and recommendations of staff on all allegations.

In these changing times and with the events of 9/11 it is important to remember the safety and well being of all citizens in the years ahead. In the spirit of cooperation, and in conjunction with the Charter amendment of 1990 establishing the Citizens' Law Enforcement Review Board, it is my hope that all parties involved in this process will continue to work towards making San Diego one the safest places to work and live.



Tom Pocklington  
Chairperson - 2002

## EXECUTIVE OFFICER'S SUMMARY

### *The Year in Review*

The year 2002 was one of challenge for CLERB and its staff. We began the year with the installation of a new case management and early warning system referred to as *AIM*. We were able to take advantage of special pricing, because the Sheriff's Department also purchased this company's software for their use. I greatly appreciate the continued kindness and willingness on the part of Sheriff Kolender and his administration to share ideas or technology that will help us accomplish our mission with a high degree of professionalism.

Using the new software, we are able to generate reports documenting new intake and case closures. We also are able to track peace officers that receive multiple complaints in specific time periods. While our "early warning" reports are primarily complaint driven, this software allows tracking by virtually any category of information. At the close of 2002, we are looking forward to an update that will allow us to define and create custom reports to compliment the many standard formats already in use.

Along with most other County departments, CLERB also upgraded its Internet web pages to coincide with the major revision of the main County website. We are very proud of the finished product, which provides a high level of

information about CLERB and the means to communicate by email directly with staff. We were also asked to design a logo as part of the project, and the final product appears on the cover of this report.

The year included a further "evolution" of the court-ordered Civil Service hearings for CLERB sustained findings, a product of the "Caloca" decision. As a result of further hearings, the courts have ruled against the County's bid to establish a unique body of rules for the conduct of these hearings. The County and attorneys for the Deputy Sheriff's Association (DSA) are in the final stages of drafting a new set of rules.

We are also working through our attorneys with the DSA to create a waiver form for use in deputy interviews conducted specifically for CLERB cases. While we do not necessarily agree that such a form is required based on our standing agreement with the Sheriff's Department and the DSA, we do not want any impediment to the continued professional relationship we enjoy. I believe that adherence to the agreement has proven to be beneficial to all parties in this process. It may be advantageous to begin the groundwork for creation of a formal memorandum of understanding on the standing agreement, as amended.

### *Complaint Data Review*

A dramatic increase in the number of complaints has kept our staff busy. As illustrated in Graph 1

on page 9, annual case levels remained fairly static until 2001 when they rose to 150. The jump in complaints during 2001 actually began in the fourth quarter of 2001 then continued to rise aggressively through the third quarter of 2002 before tapering off. CLERB has recorded more complaints during a given calendar year prior to 2002, however, due to more accurate screening at initial intake, we are taking in far fewer cases that do not fall within CLERB jurisdiction. As a result 2002 was arguably a record year for *lodged* complaints.

We initially attributed the jump in complaints to an effort in 2001 to educate inmates at the Vista Detention Facility regarding the CLERB process. We did this in cooperation with the Sheriff's Department after noting a near cessation of complaints from that jail. However, as evidenced by the breakdown of complaints and allegations by units documented in Table 2 on page 10, major increases in complaints lodged stemmed from Central Jail, up 85%, and George Bailey Detention Facility, up 106%. Vista Detention Facility finished the year with 20 lodged complaints, the same amount as in 2001. In other areas of the Sheriff's Department, notable increases by percentage occurred at Encinitas Station, up 83%, and the Court Services Bureau, in its third year of existence within the Sheriff's Department, up 800%. (Tables 1 & 2.)

Anyone still reading to this point will likely have jumped after reading that last figure. It is very

important to point out that these are all *percentage* increases. The actual numerical increases may be deemed insignificant in most instances given that the base or comparison numbers are so low. The Court Services Bureau, for example, had one lodged complaint in 2001 and nine in 2002. For department or unit managers and others looking at basic trends however, the data contained in this report will be provocative.

Also of some importance are the increases (or decreases) in the breakdown of specific allegations arising out of these lodged complaints. Notably, Discrimination allegations are up 67%; Excessive Force up 73%; False Arrest up 32% and False Reporting allegations are down 26%. Please note that the statistics in this paragraph are based on the entire CLERB intake during the year, which included complaints against members of the Probation Department and against "unknown" jurisdictions. Approximately 4% of the total complaints lodged during 2002 were against members of the Probation Department. (Tables 1 & 2.)

The two-year complaint breakdown and comparison information contained in Tables 1 and 2 is the data source for most of the graphs in this report and takes into account all complaints lodged during the year. CLERB rules preclude investigation of complaints not signed under penalty of perjury (with the exception of death cases) or those complaints not falling within our jurisdiction. Table 6 on page 15 provides details of



all cases closed during the year through full investigation. Table 7 on page 18 provides information on cases summarily dismissed by the Review Board and cases procedurally closed by the Executive Officer due to lack of a valid signed complaint during the year.

According to the information found in Table 6, 100 cases were closed through investigation. Seven of the 100 cases, or 7%, had *Sustained* findings. The balance of the cases closed had findings of *Not Sustained*, *Action Justified*, *Unfounded* or *Summary Dismissal*. The vast majority of complaints involved multiple allegations resulting in a variety of findings based on the evidence.

### ***The Changing Times***

The year was marked by changes to staff and on the board. Special Investigator Paul Parker left CLERB to return to his former position as a Medical Examiner Investigator. Joseph Garcia was hired as a replacement. At the time of hire, he was a counselor in Prop 36 Drug and Alcohol Program overseen by the San Diego County Probation Department. He has worked previously as a Probation Officer in Los Angeles, a California Youth Authority Parole Officer, and has worked for or managed a number of non-profit community organizations.

We also had a change in our student intern position. Hila Passyousofi has replaced Mariana Flores. Hila is a student in her senior year at the

University of San Diego where she is a sociology major. She interned for one semester at the Office of the Alternate Public Defender before coming to CLERB. Her computer and language skills (Spanish and Farsi) will benefit our staff during her term with us.

We lost board members Art Thompson, Dianne Brackett, Shu Cheng, Cheryl Nolan, Scott Pollock and Joseph Zaslow. We welcomed new board members Kourosh Hangafarin, Ralph Mora, Glenn Quiroga and Robert Winston. We still had two vacancies at the close of 2002: one in District 3 and one in District 4. It has been a very tough year for finding qualified and willing candidates for this board.

A change in County government has had an impact on CLERB. Rich Robinson, Deputy CAO for the Public Safety Group, has retired. Rich had been extremely supportive of CLERB and provided a great deal of guidance to me since we were placed within the Public Safety Group during my first year with the County. I wish him the best for a long and healthy retirement.

Harold Tuck was named to replace Rich Robinson. Mr. Tuck has a broad base of knowledge and service with the County and we are very fortunate because through his capable leadership, the transition has been seamless. I look forward to his guidance as we continue to be a responsible part of the County team.

Finally, it is with profound sadness that we marked the passing of Jim Butler this past November. Jim was a tireless advocate for police accountability and was a moving force in the establishment of this review board. It was Jim's persuasive powers that brought me to CLERB. His unwavering support of civilian oversight for San Diego County was inspiring and his friendship helped me through the very difficult early months of my tenure here. May he rest in peace.

### *Looking Ahead*

By late 2002, it became painfully obvious that 2003 and beyond will be difficult times for our County due to the state budget crisis. CLERB will be negatively impacted just like all other departments. We have always maintained a very lean operation, understaffed for the level of cases received in "normal" years. We have strived to maintain control of the caseload in spite of the surge in complaints during 2002.

We had budgeted for a part-time investigator to help with the increased workload, but we will not be able to proceed with that plan at this point. Now, more than ever, our staff will need to look for innovative ways to continue our quality work product while preventing an insurmountable backlog.

Even though the immediate future looks bleak, we will continue to take advantage of the State Mandate laws that allow us to file claims. While

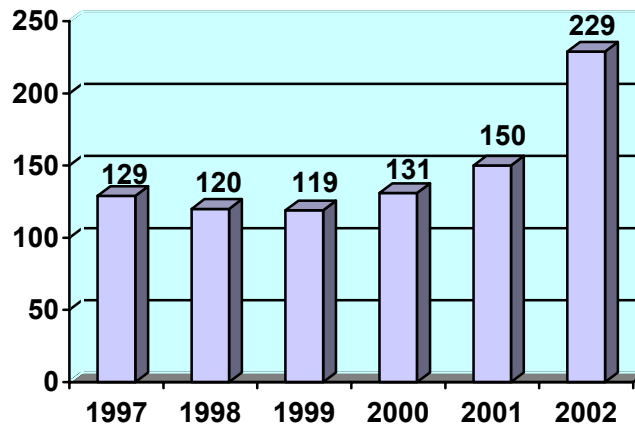
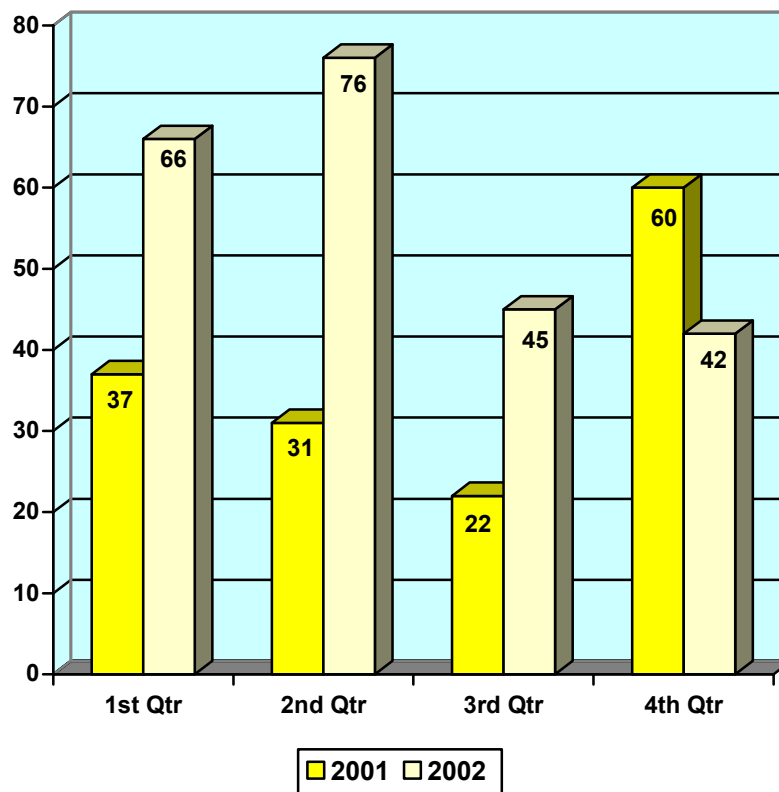
the state has suspended reimbursements under this law, our claims go on the books and will eventually be repaid. For fiscal year 2001-02, CLERB submitted a claim for reimbursement in the amount of \$69,791. The total amount owed to CLERB now stands at \$365,092.

Other items on our planning slate include solving existing issues with our computer system and the service provided by Pennant Alliance, the County's Information Technology service provider. We are experiencing difficulty in having our mission-critical software updated and are also experiencing system slowdowns that may be caused in part by the distance from our office to the data center. We have also learned that any needed upgrades to our database/case management system will be cost-prohibitive based on past experience.

We want to thank the members of the Review Board, past and present, for their hard work and service. Even though we face uncertain times, we remain dedicated to serving the citizens of San Diego County.



JOHN PARKER  
Executive Officer

**Graph 1: TOTAL COMPLAINTS LODGED BY YEAR: 1997 - 2002****Graph 2: COMPLAINTS RECEIVED BY QUARTER, 2-YEAR COMPARISON**

## 2001 COMPLAINTS &amp; ALLEGATIONS BY UNIT OR FACILITY

Table 1: January 1, 2001 through December 31, 2001

Unit	Number of Complaints Lodged	Criminal Conduct	Death Inv.	Discrimination or Sexual Harassment	Excessive Force	False Arrest	False Reporting	Illegal Search or Seizure	Improper Discharge of Firearms	Other Misconduct	Total # of Allegations
Encinitas Patrol Station	6				5	2	2			11	20
Fallbrook Substation	2		1							3	4
Imperial Beach Station	3		1							4	5
Lemon Grove Station	8			1	1	1	3	1	1	20	28
Poway Station	2				1					4	5
Ramona Substation	3				1	1		1		5	8
Rural Law Enforcement	7			2		5	1	4		19	31
San Marcos Station	5				2	5	3			11	21
Santee Patrol Station	4	1	1			1	1			3	7
Vista Patrol Station	23	1		2	14	4	4	1	1	33	60
Descanso Dtn. Fac.	1									2	2
East Mesa Dtn. Fac.	2									9	9
G. Bailey Dtn. Fac.	16		1		2					42	45
Las Colinas Dtn. Fac.	4	1	1							14	16
San Diego Central Jail	39		3	1	11	1	1			73	90
South Bay Dtn. Fac.	2				2					1	3
Vista Dtn. Fac.	20		2	4	3	1				31	41
Central Inv. Div.	4						1	1		9	11
Courts Services Bureau	1				1					3	4
Internal Affairs	1									1	1
Sheriff's Administration	2				1					1	2
Probation/Adult Svcs.	10			2		1	3	1		17	24
Probation/Detention	1				1					2	3
<b>TOTALS</b>	<b>166*</b>	<b>3</b>	<b>10</b>	<b>12</b>	<b>45</b>	<b>22</b>	<b>19</b>	<b>9</b>	<b>2</b>	<b>318</b>	<b>440</b>

Table 2: January 1, 2002 through December 31, 2002

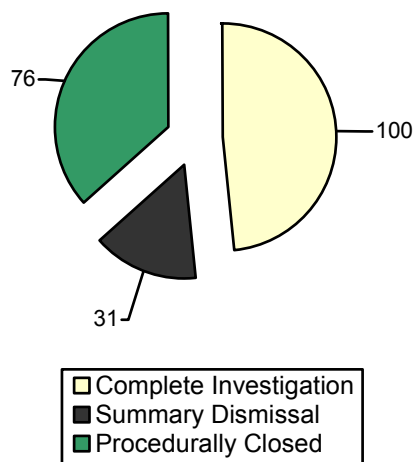
Unit	Number of Complaints Lodged	Criminal Conduct	Death Inv.	Discrimination or Sexual Harassment	Excessive Force	False Arrest	False Reporting	Illegal Search or Seizure	Improper Discharge of Firearms	Other Misconduct	Total # of Allegations
Alpine Substation	2			1	1	1				4	7
Encinitas Patrol Station	11		2		3	2	3	1	1	13	25
Fallbrook Substation	5		1		1	3				3	8
Imperial Beach Station	1		1								1
Lakeside Storefront	1					1				3	4
Lemon Grove Station	5			2	1	2		2		8	15
Poway Station	3			1	1	1	1			6	10
Ramona Substation	9		1	2	10			3		24	40
Rural Law Enforcement	1									3	3
San Marcos Station	4	1		1	4	2		1		4	13
Santee Patrol Station	6				1	1		1		17	20
Spring Valley Storefront	1		1								1
Valley Center/Pauma	3				1	1		2		7	11
Vista Patrol Station	13	1			7	6	2	1		17	34
Descanso Dtn. Fac.	2				1					2	3
East Mesa Dtn. Fac.	6				2		1			9	12
G. Bailey Dtn. Fac.	33	2		1	21		1			63	88
Las Colinas Dtn. Fac.	9				2					23	25
San Diego Central Jail	72	1	5	8	13	2	4			141	174
South Bay Dtn. Fac.	1									1	1
Vista Dtn. Fac.	20				5					54	59
Courts Services Bureau	9	1			3	2		1		16	23
Law Enforcement Svcs.	4			1		1		1		6	9
S.D. Sheriff's Dept.	4									4	4
Professional Standards	2									2	2
Probation/Adult Svcs.	7	1	1	2		3	2			6	15
Probation/Juv. Svcs.	3			1						10	11
Unknown	6				1	1				10	12
<b>TOTALS</b>	<b>243*</b>	<b>7</b>	<b>12</b>	<b>20</b>	<b>78</b>	<b>29</b>	<b>14</b>	<b>13</b>	<b>1</b>	<b>456</b>	<b>630</b>

\*In both 2001 and 2002, a number of complaints involved more than one unit per complaint.

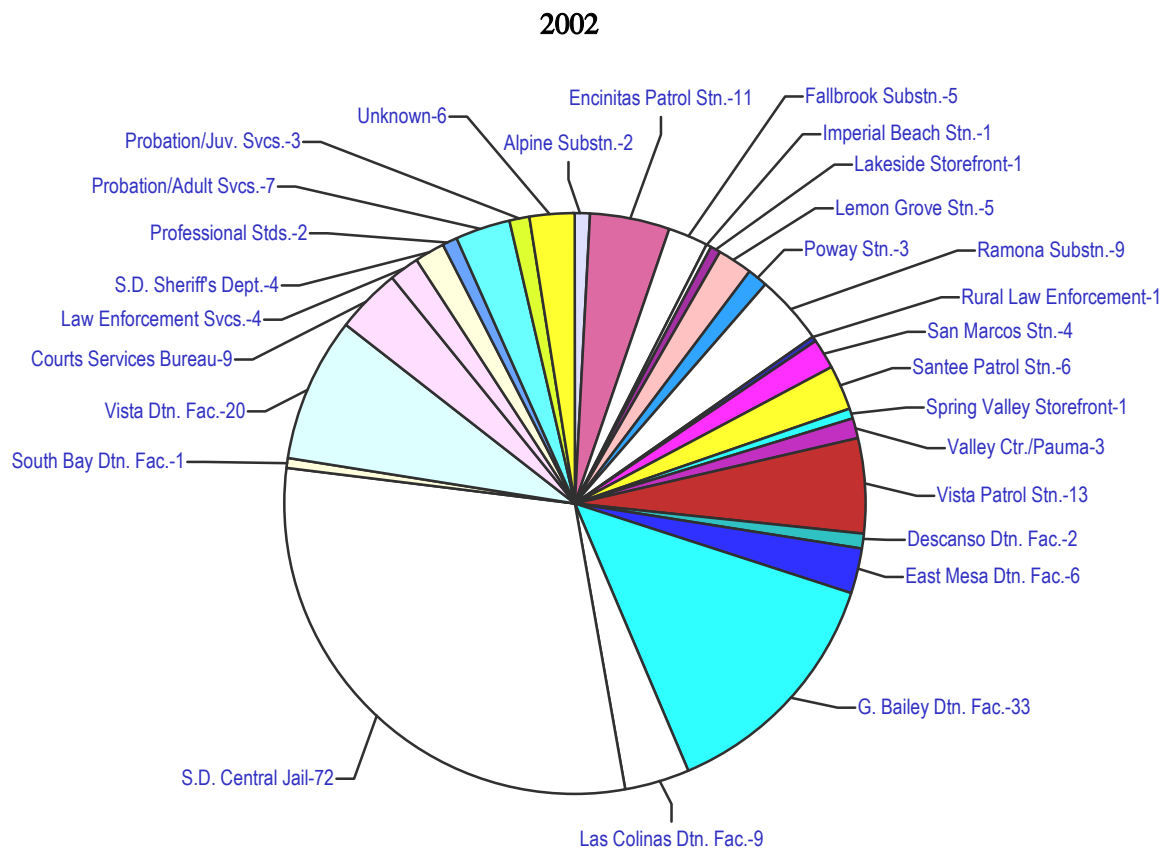
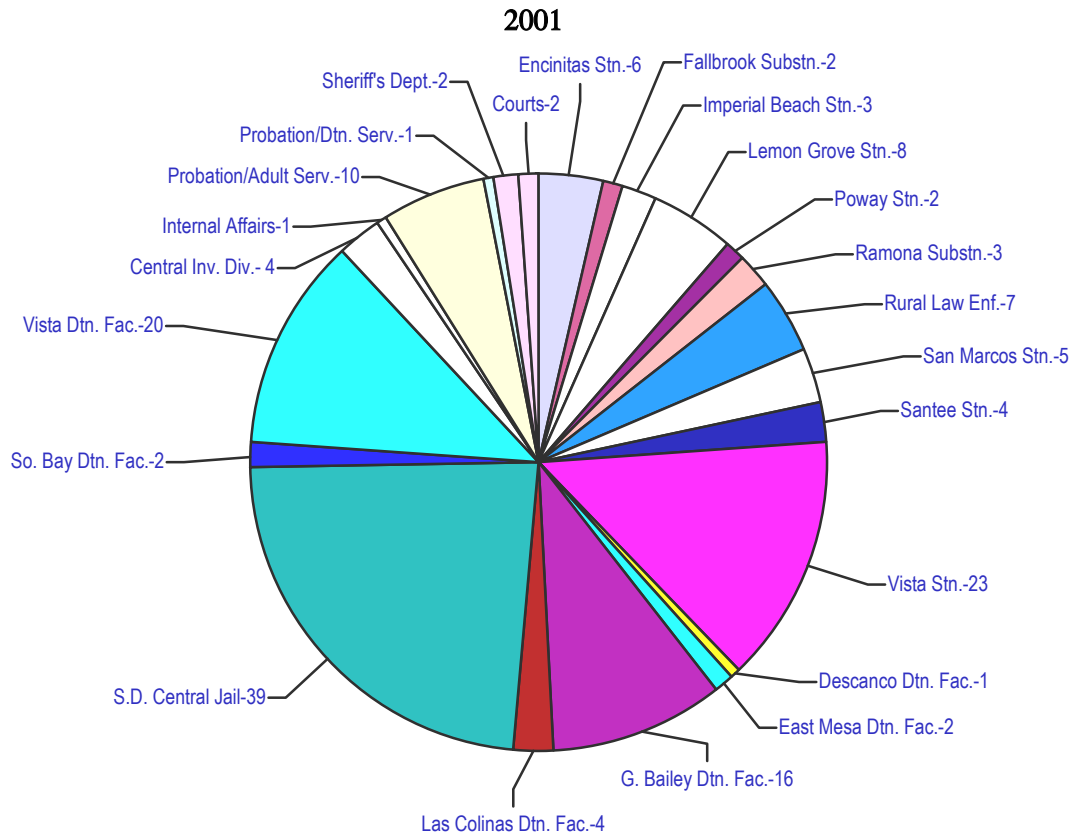
<b>Table 3: TOTAL NUMBER OF COMPLAINTS</b>		
<b>ORGANIZATION/UNIT/FACILITY</b>	<b>2001</b>	<b>2002</b>
Sheriff's Law Enforcement Facilities	71	85
Detention Facilities	84	145
Probation Department-All	11	10
Unknown	-	6

<b>Table 4: BREAKDOWN OF DISCRIMINATION ALLEGATIONS</b>		
<b>DESCRIPTION</b>	<b>2001</b>	<b>2002</b>
National Origin	1	-
Other	3	2
Racial	7	12
Religious	-	3
Sexual/Gender	1	3
<b>TOTAL</b>	<b>12</b>	<b>20</b>

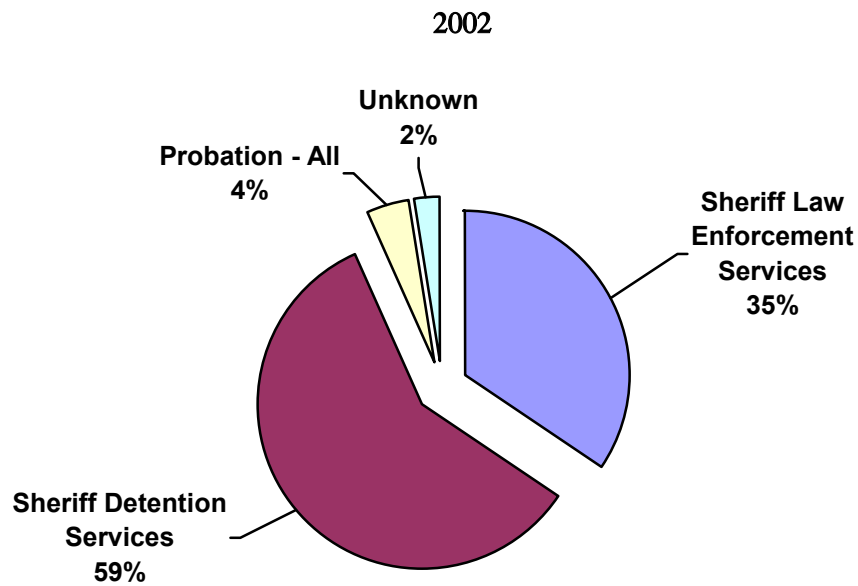
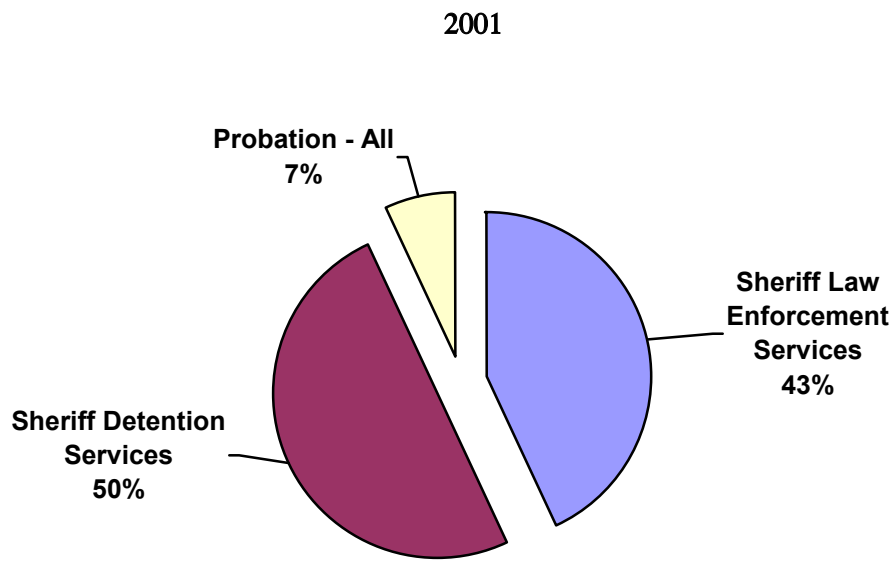
<b>Table 5: BREAKDOWN OF MISCONDUCT ALLEGATIONS</b>		
<b>DESCRIPTION</b>	<b>2001</b>	<b>2002</b>
Discourtesy	49	80
Harassment	9	14
Intimidation	-	3
Medical	25	32
Procedure	225	310
Retaliation	5	13
Truthfulness	5	4
<b>TOTAL</b>	<b>318</b>	<b>456</b>

**Graph 3: BREAKDOWN OF TOTAL CASE CLOSURES**

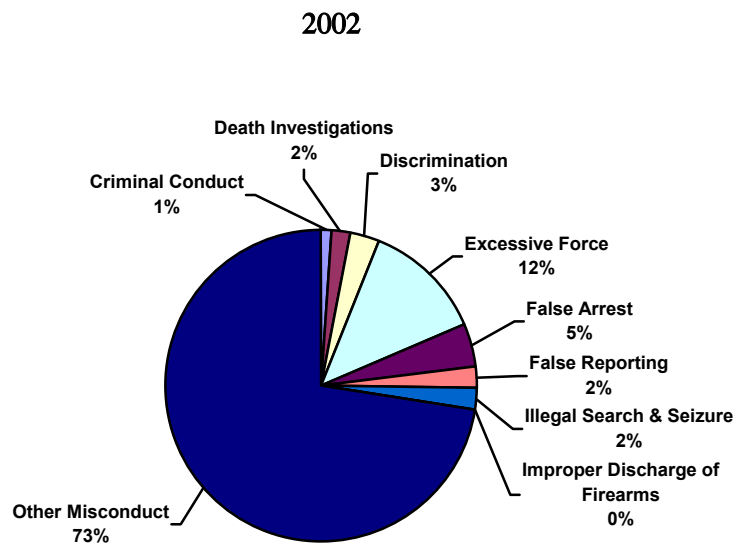
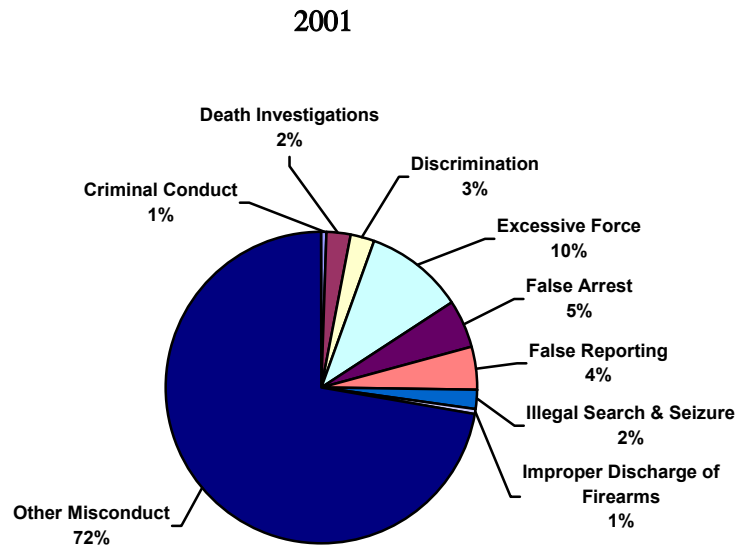
**Graph 4: TWO-YEAR COMPARISON - COMPLAINTS BY ORGANIZATION, FACILITY OR UNIT**



**Graph 5: TWO-YEAR COMPARISON – COMPLAINT PERCENTAGES BY MAJOR ORG./BUREAU**



Graph 6: TWO-YEAR COMPARISON - 2001-2002 ALLEGATIONS BY PERCENTAGE





**Table 6: INVESTIGATED CASES CLOSED/FINDINGS - 2002**  
*(Procedurally Closed & Summary Dismissal Cases are listed separately.)*

CASE #	COMPLAINANT	FINDINGS					DATE CLOSED
		Sustained	Not Sustained	Action Justified	Unfounded	Summary Dismissal	
00-111	Chandler, Matthew L.		2				1-08-02
01-076	Walters, Shirley		2		2		1-08-02
01-085	August, Jayson		2	1	1		1-08-02
01-104	Brittan, Nancy				1	2	1-08-02
01-105	Reid, William	1			1		1-08-02
01-107	Hay, William		1	1			1-08-02
01-123	Lopez, Michael (Death)					1	1-08-02
00-079	Davis, Mary	1	4			1	2-12-02
00-108	Tafilele, Asolelei			2		1	2-12-02
00-120	Lavery, Joseph		1			1	2-12-02
00-130	Losacco, Lisa Jean		2	1			2-12-02
01-001	Wallace, LeRoyal		2	1	1		2-12-02
00-104	Ibrahim, Hassan (Death)			1			3-12-02
01-021	O'Keefe, Timothy	1				1	3-12-02
01-024	Diver, Mario		1		1		3-12-02
01-037	Keefe, Edward			1			3-12-02
01-056	Brown, Kathy			1	2		3-12-02
01-099	Smith, Kenneth (Death)					1	3-12-02
01-122	Quintero, Catherine (Death)					1	3-12-02
01-002	Diver, Mario				2		4-9-02
01-016	Guidazola, Luis	1					4-9-02
01-022	Brasher, Bernell			2			4-9-02
01-045	Woodson, Alan		8	1			4-9-02
01-054	Thayer, Gayle for Christopher Thayer			2		1	4-9-02
01-082	Haskins, Emmanuel		1				4-9-02
01-083	Brown, Richard		1		2		4-9-02
01-130	Keefe, Edward				2		4-9-02
02-005	Olhoft, Debra		2				4-9-02
02-012	Bayne, Michael				2		4-9-02
02-035	Pretot, Steven A.				2		4-9-02
01-058	Chhina, Jiwan				2	3	5-14-02
01-072	Ballard, Michael J.				2		5-14-02
01-074	Nakamoto, Annet for Roy Nakamoto				2		5-14-02

CASE #	COMPLAINANT	FINDINGS					DATE CLOSED
		Sustained	Not Sustained	Action Justified	Unfounded	Summary Dismissal	
01-080	Schoeppel, Robert				4		5-14-02
01-090	Hughes, Todd				3		5-14-02
01-106	Christ, Mark		1		1		5-14-02
01-112	Estrada, Pedro		3	1			5-14-02
01-113	Chavez, Max			1	1		5-14-02
01-134	Senteno, Raymond T.			1	1		5-14-02
01-139	Sinopoli, Maryann			2			5-14-02
02-025	Eady, Raymond		1			1	5-14-02
02-037	Smith, Norman		1			1	5-14-02
02-040	Williams, Danny			1	1	1	5-14-02
01-029	Jennings, Alice I.		4	6	3		6-11-02
01-051	Layton, Maria R. for Oscar Perez		2		1		6-11-02
01-062	Holland, Lydia		1	1	1		6-11-02
01-079	Mikuljan, Ivan for Elfriede Mikuljan	2		2			6-11-02
02-052	Bacon, Arnold aka Arnold Bacon Taz			3			6-11-02
00-048	Rodrick, Daniel				9	4	7-9-02
00-113	McCoy, Linda	1	6	2			7-9-02
01-020	Washington, Marshawn (Death)					1	7-9-02
01-039	Gamboa, Alta			3	1	5	7-9-02
01-055	Johnson, David			1	3		7-9-02
01-086	Cole, Edward James			1			7-9-02
01-125	Evans, Ladon L.		4	1	1		7-9-02
02-081	Johnson, David L.		1	1		1	7-9-02
02-082	Johnson, David L.				1		7-9-02
02-085	Owens, Russell				1		7-9-02
02-095	Wright, Daniel E.				1		7-9-02
01-073	Martin, Richard L.		2			2	8-13-02
02-017	Anness, Marty Dale (Death)			1			8-13-02
01-137	Kelly, Pat for Kevin Szablewski					1	8-13-02
01-014	Aros, James		1	4			9-10-02
01-040	Garcia, Edgar			2	1		9-10-02
01-041	Gomez, Fernando		1	2			9-10-02
01-050	Allen, James W. (Death)		2		1		9-10-02
01-063	Nichols, Marla for Kayle Nichols		1	1	2	1	9-10-02

CASE #	COMPLAINANT	FINDINGS					DATE CLOSED
		Sustained	Not Sustained	Action Justified	Unfounded	Summary Dismissal	
02-044	Murray, Daniel		2	3	1		9-10-02
02-046	Rowland, Brooke		2				9-10-02
02-119	Berry, Bart Allen			2			9-10-02
01-010	Maxwell, Lawrence				2		10-8-02
02-002	Hutton, John P.				2		10-8-02
02-003	Douglas, Michael			1	1		10-8-02
02-128	Quience, James (Death)					1	10-8-02
02-157	Angelo, Mark			1			10-8-02
01-003	Miranda, Carlos (Death)		1				11-12-02
01-066	Adams, Kathleen for Kevin Adams		1	2	1	1	11-12-02
01-067	Adams, Kathleen for Kevin Adams		1	1		1	11-12-02
01-069	Adams, Kathleen for Kevin Adams		1	4	1		11-12-02
01-088	Evans, Diane		3				11-12-02
01-115	Pritt, Joe & Laurel		2	1	1	4	11-11-02
01-119	West, Porter			1	2		11-11-02
01-143	Pritt, Laurel			2			11-11-02
02-024	Ramos, Joan for Raymond Ramos		4	1	2		11-11-02
02-163	Noble, Darrell				1		11-11-02
02-165	Williams, Ron		1			1	11-11-02
02-172	Brooks, Carlton		1				11-11-02
01-027	Booker, Fostoria				1		12-10-02
01-071	Hickman, John for Ronald Hickman		4	3			12-10-02
01-092	Stover, Larry for Travis Stover		2	1			12-10-02
01-108	Carter, Gregg		3		1	1	12-10-02
01-116	Freeman, Todd a.k.a. Todd Novotney		2			1	12-10-02
01-118	Bejaran, Andrew for Steven Reboloso		1		1		12-10-02
01-135	Daily, John	2	2				12-10-02
02-069	Boyd, Linda		3	1		2	12-10-02
02-127	Chambers, Daniel (Death)					1	12-10-02
02-179	Garcia, Oscar		1	2			12-10-02
02-188	Harris, Brandon				1		12-10-02
02-194	Rollins, Johnny				2		12-10-02
02-195	Thayer, Brandon			1			12-10-02
<b>TOTALS</b>		<b>9</b>	<b>98</b>	<b>78</b>	<b>82</b>	<b>44</b>	

**Table 7: SUMMARY DISMISSAL & PROCEDURALLY CLOSED CASES**

CASE #	COMPLAINANT	FINDINGS		DATE CLOSED
		Summary Dismissal	Procedurally Closed	
01-110	Lyons, Richard	X		1-8-02
01-133	Reid, William	X		1-8-02
02-062	Scott, Robert	X		5-14-02
02-068	Eady, Raymond	X		5-14-02
02-073	Medrano, Freddy	X		5-14-02
02-074	Bradley, Wyman	X		5-14-02
02-079	Vulliermet, Nathalie	X		5-14-02
02-091	Scott, Robert E.	X		6-11-02
02-094	Buccelli, James	X		7-9-02
01-075	Willson, Ralph	X		8-13-02
01-078	Willson, Ralph	X		8-13-02
01-111	Lyons, Richard	X		8-13-02
01-114	White, Kenneth	X		8-13-02
01-126	Lyons, Richard	X		8-13-02
01-128	Long, Steve	X		8-13-02
01-129	McIntyre, John	X		8-13-02
01-138	Walker, Kenneth	X		8-13-02
02-001	Harris, Kari	X		8-13-02
02-007	Lavoie, Steve	X		8-13-02
02-008	Robinson, Mike	X		8-13-02
02-023	Robinson, Harvey	X		8-13-02
02-048	Casey, James M.	X		8-13-02
02-049	Walker, Kenneth	X		8-13-02
02-058	Brown, Bobby	X		8-13-02
02-059	Harris, Kari	X		8-13-02
02-114	Estrada, Pedro	X		8-13-02
02-139	JacksonCathey, Jacquwlyn for Atwon King	X		8-13-02
02-184	Wilkerson, Michael	X		11-12-02
01-120	Averhart, Travell	X		12-10-02

CASE #	COMPLAINANT	FINDINGS		DATE CLOSED
		Summary Dismissal	Procedurally Closed	
02-154	Sharma, Divendra	X		12-10-02
02-207	Alee, Patrick	X		12-10-02
01-136	Hay, William		X	1-09-02
01-141	Morgan, Kathleen		X	1-15-02
01-144	Leddy, Robert		X	1-15-02
01-145	Kohnke, Jean		X	1-15-02
01-146	Hart, Heather		X	1-22-02
01-147	Hart, Heather		X	1-22-02
01-148	Cejudo, Samuel		X	1-22-02
01-150	Shideler, Clyde		X	1-22-02
01-131	Christ, Mark		X	1-22-02
02-004	Smith, Kevin		X	2-12-02
02-010	Host, Darren		X	2-12-02
02-014	Holland, Hayle		X	2-12-02
02-015	Clayton, Robin		X	2-12-02
02-018	Smith, Patricia		X	2-20-02
02-021	Hall, Douglas		X	2-20-02
02-028	Dillon, Jane		X	3-06-02
02-033	Melvin, Antonio		X	3-14-02
02-036	Goulet, Myron		X	3-14-02
02-041	Hightower, Chris		X	3-27-02
02-043	Henderson, Janice for Jesse Henderson		X	3-27-02
02-051	Lombardi, Barbara		X	3-27-02
02-047	Williams, Cheryl for Donald Williams		X	4-9-02
02-053	Kent, David		X	4-9-02
02-045	Braun, Lynn		X	4-14-02
02-063	Seel, Bill		X	4-19-02
02-066	Jones, Steven		X	4-23-02
02-067	Ramirez, Julia		X	4-29-02
02-071	Lopez, Martha		X	4-29-02
02-072	Hanen, Benjamin		X	4-30-02

CASE #	COMPLAINANT	FINDINGS		DATE CLOSED
		Summary Dismissal	Procedurally Closed	
02-075	Landers, Alvin		X	5-10-02
02-076	Garrett, Robert		X	5-10-02
02-077	Arnold, Michael K.		X	5-10-02
02-078	Kelley, Graham		X	5-13-02
02-080	Hawkins, Ann		X	5-13-02
02-086	Wiley, Kenneth		X	5-13-02
02-089	Johnson, Corey & Arrellano, John		X	5-20-02
02-090	Williams, Pauline		X	5-20-02
02-098	August, Jayson		X	5-20-02
02-100	Kaplan, Mike		X	6-4-02
02-107	Hernandez, Jesus		X	6-6-02
02-116	Winchester, Sheridyn J.		X	6-21-02
02-129	Cramer, Jill		X	7-10-02
02-132	Wittorff, Robert		X	7-10-02
02-133	Nelson, William for Deborah Stell		X	7-10-02
02-134	Wilkerson, Michael W.		X	7-10-02
02-136	Braun, Lynn		X	7-16-02
02-142	Bell, Linda		X	7-24-02
02-143	Owens, Russell		X	7-24-02
02-145	Young, Christopher		X	7-24-02
02-146	LaBlanc, Everett		X	7-31-02
02-149	Skubal, Kevin		X	8-7-02
02-151	Moore, Robert Allen		X	8-7-02
02-150	Sydner, Peleleilani		X	8-12-02
02-153	Leakes, Joseph		X	8-19-02
02-160	Brown, Charles		X	8-30-02
02-161	Puente, Rolando		X	8-30-02
02-162	Puente, Rolando		X	8-30-02
02-167	Reyes, Luis		X	9-12-02
02-171	Gardner, Christina		X	9-23-02
02-174	Ringland, Margaret		X	10-1-02

CASE #	COMPLAINANT	FINDINGS		DATE CLOSED
		Summary Dismissal	Procedurally Closed	
02-175	Douglas, Michael		X	10-1-02
02-176	Johnson, Michael		X	10-1-02
02-177	Towers, Bradley		X	10-1-02
02-173	Mallery, Michael		X	10-7-02
02-178	Enriquez, Brenda for Gina Enriquez		X	10-7-02
02-180	Moffit, James		X	10-7-02
02-181	Green, Tony		X	10-9-02
02-183	Williams, Quincy		X	10-14-02
02-191	Coates, Russell		X	10-29-02
02-197	Scinta, Louis		X	11-20-02
02-201	Mallory, Larry G.		X	12-2-02
02-203	Cochran, Daniel		X	12-2-02
02-205	Douglas, Michael		X	12-3-02
02-212	Droh, Michael		X	12-6-02
02-219	Chaudoin, Robert		X	12-12-02
02-213	Jeffery, Jeff		X	12-18-02
	<b>TOTALS</b>	<b>31</b>	<b>76</b>	

**Table 8: POLICY RECOMMENDATIONS**

<b>CASE #</b>	<b>NAME</b>	<b>SUMMARY OF POLICY RECOMMENDATIONS</b>	<b>DATE TO BOARD</b>
01-105	Reid, William	It is recommended that the Sheriff's Department issue an information bulletin to be distributed to corrections staff in an attempt to ensure compliance with Detentions Facility Services Procedure #Q.63 – Lost Inmate Money or Property. The bulletin should emphasize that when an inmate claims lost/missing property, the Watch Commander will be notified, the claim will be investigated, and a Lost Property Crime Report will be completed within shift hours.	1-8-02
01-123	Lopez, Michael	<p style="text-align: center;">#1</p> <p>It is recommended that the Sheriff's Department implement a policy that mandates the completion of a welfare check on any inmate exhibiting "unusual" behavior. Obviously, "unusual" behavior will vary from one inmate to the next and will be identified by deputies based upon their training and experience. "Unusual" behavior should not solely be interpreted as a pretext to an attempted assault upon staff and disregarded. Whenever possible, the welfare check should include attempts to engage the inmate in dialogue. The results of the welfare check should, at the very least, be documented on the Daily Activity Log.</p> <p style="text-align: center;">#2</p> <p>It is recommended that the Sheriff's Department issue an information bulletin to be distributed to corrections staff in an attempt to ensure compliance with Detentions Facility Services Procedure #I.63 – Facility Security – Housing Units. The bulletin should emphasize the completion of at least hourly checks of inmates through direct visual means (not to include video monitoring).</p>	1-8-02
01-083	Brown, Richard	In an attempt to reduce possible locations in which inmates can smuggle and/or conceal contraband, it is recommended that the Sheriff's Department implement a system-wide policy that mandates the removal of semi-permanently attached hair from male inmates just as the current policy mandates said action for female inmates at the Las Colinas Detention Facility.	4-9-02
01-029	Jennings, Alice I.	It is recommended that the Sheriff's Department implement a policy that provides guidelines for handcuffing. These guidelines should cover, at minimum, such topics as the proper placement of handcuffs; checking to ensure the handcuffs are not so tight as to cause injury; repositioning handcuffs if necessary and mandatory double locking. Even though Deputy P. Shannon #2660 documented the following areas in this case, a comprehensive handcuffing policy should also provide guidelines covering the documentation of injuries and/or complaints of pain allegedly due to handcuffs and the provision of medical treatment to prisoners claiming said injuries.	6-11-02



<b>CASE #</b>	<b>NAME</b>	<b>SUMMARY OF POLICY RECOMMENDATIONS</b>	<b>DATE TO BOARD</b>
01-079	Mikuljan, Ivan for Elfriede Mikuljan (Aggrieved)	In an attempt to reduce possible liability to the county and lessen the potential for collisions when operating emergency vehicles, it is recommended that the Sheriff's Department amend existing Policy, 5.1 Emergency Vehicle Operation, to ensure that emergency vehicles have emergency lights and sirens in full and continuous use through all intersections, particularly when the emergency vehicle is proceeding against a traffic signal. The intermittent use of the siren as needed in all other circumstances is acceptable. We believe this amendment would reduce county risk.	6-11-02
01-050	Allen, James W. (Death)	It is recommended that Addendum F of the Sheriff's Policy and Procedure Manual (Use of Force Guidelines) be amended to make certain maximum restraint precautions mandatory.	9-10-02
01-071	Hickman, John for Ronald Hickman (Aggrieved)	It is recommended that a higher standard of medical care be applied to subjects who are shot with less lethal munitions. There is currently a discrepancy between the Use of Force Guidelines and the Less Lethal Munitions Training Guide regarding the recommended medical treatment precautions. We further request that the Sheriff's Department prohibit the developed practice of deputies signing Against Medical Advice (AMA) forms.	12-10-02

## GLOSSARY OF TERMS & DEFINITIONS

**Action Justified:** The investigation showed the alleged act did occur, and was lawful, justified and proper.

**Not Sustained (Insufficient Evidence):** The investigation failed to support the allegation, but the allegation could not be shown to be false.

**Procedurally Closed:** Cases closed by the Executive Officer when they lack a signature under penalty of perjury.

**Summary Dismissal:** (a) CLERB had no jurisdiction over the complaint (or an allegation) subject matter; or (b) CLERB had no jurisdiction because the complaint was not timely filed; or (c) the complaint was so clearly without merit that no reasonable person could sustain a finding based on the facts.

**Sustained:** The investigation proves that the allegations were true and not justified.

**Unfounded:** The investigation showed the alleged act(s) did not occur.

**Lodged versus Filed Complaints:** Complaints are "lodged" when a person describes an incident about which s/he wants to complain, but has not sworn to the truth of their statement. Many complainants phone in their complaints; these complaints are deemed "lodged only" until the

complainant submits a signed statement attesting or swearing to the truth of the complaint.

**Preponderance of the Evidence:** Evidence that has more convincing force than that opposed to it. "Preponderance of the evidence" is the standard of proof used in the Review Board's investigations.

**Summary Hearings:** The Review Board considers the staff reports on complaint investigations. In most cases the Review Board makes its findings on the allegations at Summary Hearings without taking public testimony. Summary Hearings are conducted in accordance with the Review Board's Rules and Regulations, and California's Public Meeting statutes.

**Investigative Hearings:** At a Summary Hearing, the Review Board may vote to hold an "Investigative Hearing" on a complaint. It will then schedule such a hearing at which public testimony will be taken. Investigative Hearings are conducted in accordance with the Review Board's Rules and Regulations, and California's Public Meeting statutes.

**Table 9: CLERB TWO-YEAR OPERATIONAL BUDGET**

LINE ITEM NAME	CURRENT	2003/04
Salaries & Fringe Benefits	\$307,740	*(TBD)
Services & Supplies	\$171,769	
Total Expense	\$479,509	
General Revenue	\$479,509	
Full Time Employees	4	4

\* To Be Determined - Unknown impact due to fiscal crisis in California